Office of Consumer Information and Insurance Oversight

State Planning and Establishment Grants for the Affordable Care Act's Exchanges

Reporting Templates

Quarterly Project Reports

Date: April 15, 2011

State: South Dakota

Project Title: Health Insurance Exchange

Project Quarter Reporting Period: Quarter 2 (1/1/11 – 3/31/11)

Grant Contact Information

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Award number: 1 HBEIE100002-01-00

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Project Summary

Please provide a narrative description (about 5-10 sentences) describing your progress so far in planning activities under each core area. We would like to know what activities you have undertaken to date and what you plan to undertake in the next quarter. Please refer to the Reference section at the end of this template for some examples of what you could include under each core area.

Core Areas

Background Research

In January, 2011 Governor Dennis Daugaard assumed office for his first term as Governor of South Dakota. South Dakota's planning grant has been modified to assure consistency with his overall philosophies.

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An internal work group made up of staff from the Office of Governor (including the Lt. Governor), Department of Social Services, Department of Labor and Regulation, Department of Health, Bureau of Information and Technologies, Bureau of Finance and Management, and the Bureau of Personnel was formed.

South Dakota's previous administration issued a RFP in 2010 to select a vendor to conduct background research. Governor Daugaard signed a contract with Market Decisions, LLC and it is in effect. The internal work group will be meeting with Dr. Robertson, Director of Research with Market Decisions. This meeting will be used to review the following: core and optional survey areas, question topics specific to a health insurance exchange, derived concepts from the survey, sampling plan and methodology, and project timeline and deadlines.

The internal work group determined that the Division of Insurance would conduct the survey of small businesses with 2 to 50 employees to determine the number of businesses currently providing health care coverage, the challenges associated with providing health coverage, and the features of an exchange which would make it a beneficial insurance market place for small businesses.

Existing data resources including the Behavioral Risk Factor Surveillance System, Current Populations Survey, and other sources of information have been catalogued and analyzed. Statutory and regulatory exchange requirements have also been catalogued.

During the third and fourth quarters, the Governor will choose an overall model for the exchange. To aid his decision making process, research will be conducted on exchange plans from other states, including legal research on proposed statutory and administrative rule requirements. The individual and family survey and the survey of small businesses will be conducted during the third quarter.

Stakeholder Involvement

The state team developed several options to structure formal stakeholder involvement for the planning and development of the exchange. These ideas were presented to then Governor-elect Daugaard and his transition team. Governor Daugaard chose to develop a large taskforce, similar to prior stakeholder groups assembled in South Dakota, to address both coverage for the insured and the development of recommendations for the state's long term care delivery system. This task force will have several subgroups focusing on areas such as operations and financing an exchange, outreach and communication, and insurance plan and market organization. Representation has been sought and received from small businesses, insurance agents, insurance companies, health care providers, consumer advocates, state agencies, and state legislators, Tribes, and Indian Health Services.

During the third and fourth quarters, the Stakeholder task force will meet several times and develop recommendations on the exchange. The Lt. Governor and members of the Stakeholder task group will attend meetings across the state to inform groups about the exchange. Additional meetings will be held to garner input from other stakeholder groups.

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Program Integration

Ensuring strong integration between existing programs and the exchange is vital to the seamless movement of beneficiaries between the exchange and outside programs, regardless of the governance structure chosen by the State of South Dakota. To adequately prepare for an exchange, planning grant dollars will be used to foster program integration through an assessment of the current Medicaid and CHIP programs. This assessment will analyze the eligibility determination and claims payment functions as well as the authority of the Division of Insurance to regulate insurance, taking into consideration new authority provided under the Patient Protection and Affordable Care Act. Once these assessments are complete, the team will evaluate interface points between the exchange and existing programs in order to determine if any changes to existing programs are required to facilitate a seamless transition between Medicaid and the exchange and a seamless process for certifying qualified health plans.

Resource Capabilities

In order to execute the necessary planning activities listed in the South Dakota Timeline and Work Plan, the state will employ key staff members and contractors to accomplish the goals of the planning process.

The state has identified the following agencies and positions involved in planning for an exchange:

Governor's Office

■ Exchange Project Manager – hired

Department of Social Services

- DSS Exchange Project Manager hired
- DSS Exchange Specialist hired
- DSS Exchange Technical Specialist to be hired

Department of Labor and Regulation, Division of Insurance (all three positions filled with current employees)

- DOI Assistant Director of Policy Analysis/Legislation
- DOI Assistant Director of Compliance
- DOI Policy Analyst

Bureau of Information and Telecommunications –

- 4 analyst positions filled by current employees
 - BIT Eligibility Systems Analyst
 - BIT Medicaid Systems Analyst
 - BIT Financial Systems Analyst
 - BIT Insurance Systems Analyst
- BIT Project Management (contractor) RFP responses in evaluation.
 Vendor selection mid-April
- BIT Web Portal Expert (contractor) RFP responses in evaluation.
 Vendor selection mid-April

During the third and fourth quarters the Stakeholders task force will identify the number of navigators needed and their roles. Staffing needs will be identified for the planning and drafting

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of legislation, regulations to establish an exchange, and ongoing needs for the operation of the exchange. Additional staffing needs for IT support, Medicaid, and CHIP eligibility will be identified and an assessment will be conducted to determine the staff required to operate the exchange.

Governance

During the third quarter, the Stakeholders task force will analyze and review the merits of other governance models and develop options for the best governance structure and infrastructure for a South Dakota exchange.

These options will be presented to the Governor for his decision. After a decision has been made, an implementation plan will be developed.

Finance

The first and second quarterly reports were submitted.

During the third and fourth quarters, the South Dakota exchange website will be supplemented with additional information. The website is located at http://open.sd.gov/. This website will be used to provide transparency throughout the exchange planning process.

A plan for exchange budget financial transparency will be developed and financial modeling will be conducted. An analysis of accounting methods and auditing standards will be undertaken to determine which is most appropriate to meet the financial integrity requirements of the PPACA. Accounting functions will be defined and a decision made to determine if South Dakota will use an off the shelf package or if software needs to be developed.

Technical Infrastructure

The planning grant funds will be used to determine the information systems needed by the exchange and the methods to put these systems in place. If regulations are released in a timely fashion, planning grant funding will be used to develop IT specifications. Other important considerations that will be analyzed during the planning process include: specific data requirements for an exchange, the sufficiency of our current systems, including our eligibility system, and the interface with the Medicaid Management Information System that is currently being developed in South Dakota.

The planning grant funds will also be used to explore the usage of existing systems within the Division of Insurance to approve, track, and monitor plans determined to be qualified for use in the exchange, outline and develop the specifications for the Web Portal and the interfaces needed to ensure a successful transfer of data, define the security and privacy requirements needed for an exchange, and develop a plan to meet those requirements.

During the third and fourth quarters, the technical staff needed from the Bureau of Information and Technology and the Department of Social Services will be determined. A roadmap of

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exchange information systems will be outlined, security and privacy requirements will be defined, and a plan will be developed to meet security and privacy requirements.

Business Operations

During the third and fourth quarters, transparency requirements of PPACA will be evaluated, including any requirements unique to South Dakota. South Dakota specific requirements recommendations will be included in the implementation plan. Reports required by federal statute and regulation will be catalogued and a plan will be created to ensure the exchange's ability to report information to Department of Health and Human Services. Workflow charts will be developed and exchange processes drafted. Assessments will be made to incorporate plan bidding into the process, decide which state agency will house the exchange, and determine criteria for exchange eligibility.

Regulatory or Policy Actions

A review of the legal and regulatory authority for the operation of an exchange has been conducted by the Division of Insurance. The results of that review are that although there is no specific authority with respect to regulating the sales and marketing of health insurance through an exchange, there is ample rulemaking authority within the Insurance Director's authority to set forth marketing and sales standards for both inside and outside the exchange. The statutory general authority is found in the following sections: 58-17-87, 58-18-79, 58-18B-36, and 58-33A-7.

The legal review did not find any authority for the establishment of an exchange or for staffing or funding the exchange. Enabling legislation would be required for the establishment of an exchange.

As a necessary regulatory building block to establish an exchange, SD has adopted regulations and statutes concerning the PPACA reforms which became effective for plan years beginning on or after 9/23/10. Specifically, South Dakota Senate Bills 38 and 43 were signed into law by Governor Daugaard and will become effective 7/1/11. Also the Division of Insurance issued a set of rules incorporating many of the same PPACA provisions. Administrative rules in effect are located in ARSD sections 20:06:53 through 55.

During the third and fourth quarters, an assessment will be conducted regarding the federal requirements of a qualified health plan and the ability of the Division of Insurance to certify health plans. Assessments will not be completed until federal regulations defining a qualified health plan and health plan certification are adopted. The legislation, administrative rules, and policies necessary to implement an exchange will also be determined. A standard application will be drafted.

Barriers, Lessons Learned, and Recommendations to the Program

Please report on any issues or problems that have impacted the development and implementation of the project during the reporting period. Detail what impact any issues may have on the achievement of project targets, and set out how you plan to tackle these issues.

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Also provide any lessons that you have learned during this quarter that you think would be helpful to share with other states as well as any recommendations you have for the program.

The State of South Dakota is still in the early phases of planning an exchange, focused primarily on conducting background research and assembling a task force to recommend a preferred model for a proposed exchange. The transition to a new Governor in January, 2011, resulted in delays to certain efforts related to the planning grant; however, all deadlines required by the grant will be met.

Technical Assistance

Please describe in detail any technical assistance needs you have identified through your planning activities. Please be as specific as possible about the kind of assistance needed and the topic areas you need to address. Discuss any plans you have for securing such assistance.

No technical assistance needs have been identified to date, but may likely be identified after the stakeholder task force begins meeting regularly to analyze the issue.

Draft Exchange Budget

In order to understand state budgetary requirements moving forward, we ask that you provide a draft budget to the extent possible for Federal fiscal years 2011 through 2014. You may specify functional areas as you deem appropriate based on the types of costs you anticipate incurring. Examples of possible functional areas include personnel, other overhead, IT and systems costs, and other operational costs. When developing IT and systems cost estimates, please ensure that you separate costs for updating Medicaid systems from costs for Exchange systems.

Function	FFY 2011	FFY 2012	FFY 2013	FFY 2014

A budget will be drafted after preliminary background research is conducted and the task force is assembled and begins holding regular meetings.

Work Plan

We ask that you begin working on a draft work plan for your Exchanges that will carry your planning and implementation efforts through January 1, 2014. On a quarterly basis, we would like to see your progress in developing this plan. We would like you to provide key objectives

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for implementing your exchange and corresponding milestones under each of these objectives. For your first quarterly report, please provide two milestones under each core area. In your second report, please provide four milestones. For your third report and the final report, we expect your work plan to be as comprehensive as possible.

For each milestone, please provide the following:

- Name of milestone:
- Timing:
- Description:

States may be creating their own work plan and/or timeline format. Please ensure that you provide the required number of milestones and that your plan goes through January 1, 2014.

South Dakota Timeline and Work Plan

Background Research

Issue an RFP for the background research required.

- o Completion Date October 15, 2010
- o Responsible Individuals
 - *GOV/Project Manager*
 - DOI/Assistant Director of Policy Analysis/Legislation

Catalog and complete analysis of existing data resources such as the Behavioral Risk Factor Surveillance System, Current Population Survey (CPS) and other sources of information held by the Division of Insurance and Department of Health.

- o Completion Date December 31, 2010
- Responsible Individuals
 - *GOV/Project Manager*
 - DOI/Assistant Director of Policy Analysis/Legislation

Engage a vendor to conduct a state specific survey on the uninsured and a survey of small businesses with 2 to 50 employees.

- o Completion Date April 1, 2011
- o Responsible Individuals
 - *GOV/ Project Manager*
 - DSS/Project Manager
 - DOI/Assistant Director of Policy Analysis/Legislation

Update the catalog of statutory and regulatory exchange requirements with new regulations released.

- Completion Date April 1, 2011 and ongoing as new regulations are issued.
- Responsible Individuals
 - *GOV/Project Manager*

Governor will determine decision points for an exchange.

o Completion Date – April 15, 2011

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- o Responsible Individuals
 - *GOV/Project Manager*

Legal research will be conducted on proposed statutory and administrative rule requirements. *Completion Date – April 31, 2011*

- o Responsible Individuals
 - DSS/Project Manager
 - DOI/Assistant Director of Policy Analysis/Legislation

Research current exchanges in other states.

- Completion Date May 1, 2011
- o Responsible Individuals
 - *GOV/Project Manager*

Analyze and supplement existing data with survey.

- o Completion Date August 15, 2011
- o Responsible Individuals
 - GOV/ Project Manager
 - DSS/Project Manager
 - DOI/Assistant Director of Policy Analysis/Legislation

Stakeholder Involvement

Make a request of the Health Care Commission to provide a list of names of interested people to serve on a Stakeholder task force. The Stakeholder task force will focus on an exchange and organize the necessary meetings to accomplish the tasks outlined.

- o Completion Date January 15, 2011
- o Responsible Individual
 - *GOV/Project Manager*

Identify and finalize members to serve on the Stakeholder task force.

- o Completion Date April, 2011
- o Responsible Individual
 - GOV/Project Manager

Divide stakeholder task force members into three subcommittees: Organization and Finance, Outreach and Communication, and Insurance Plan and Market Organization.

Completion Date – May 1, 2011

- o Responsible Individual
 - Internal Work Group

Stakeholder task force will develop a set of recommendations in the areas which will include but not limited to, outreach and public education, employer participation, navigator, the role of the insurance agent, legislation and provider network advocacy. The Stakeholder task force will focus on the exchange and organize the necessary meetings to accomplish the tasks outlined.

- o Completion Date September 30, 2011
- o Responsible Individual

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• South Dakota Team led by the Project Manager

Lt. Governor Michels and members of the stakeholder task force will attend and hold meetings across the state to provide information about the exchange and to obtain input from those groups.

- Completion Date August 30, 2011
- o Responsible Individual
 - Lt. Governor
 - Stakeholder task force

Program Integration

Recruit and train planning grant staff in the Department of Social Services.

- o Completion Date May 1, 2011
- o Responsible Individual
 - DSS/Deputy Cabinet Secretary

Review DSS current assessment of Medicaid and CHIP application and eligibility determination processes.

- Completion Date May 31, 2011
- o Responsible Individual
 - DSS/Project Manager
 - DSS/Integration Specialist

Determine changes needed in current Medicaid and CHIP application and eligibility processes to integrate these with an exchange.

- o Completion Date July 30, 2011
- o Responsible Individual
 - DSS/Project Manager
 - DSS/ Integration Specialist

Develop detailed plan to integrate changes to Medicaid and CHIP application and eligibility processes with an exchange.

- o Completion Date September 30, 2011
- o Responsible Individual
 - DSS/Project Manager
 - DSS/Integration Specialist

Develop transition plan for exit strategy from state and federal risk pools to state exchange.

- Completion Date September 30, 2011
- o Responsible Individual
 - DOI/Assistant Director of Compliance
 - \blacksquare DSS
 - *GOV/Project Manager*

Resources & Capabilities

Research and identify the number of Navigator models needed for an exchange and the roles that each Navigator will fill.

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- Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

Draft legislation and regulations to establish an exchange and for ongoing operation of the exchange.

- o Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

Identify IT support needs.

- Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

Conduct an assessment of staffing needed to operate an exchange.

- Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

Determine Medicaid and CHIP eligibility staffing needs for operation of an exchange.

- o Completion Date September 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

Governance

Examine other governance models and develop options for the best governance structure for an exchange in South Dakota.

- Completion Date May 1, 2011
- o Responsible Individual
 - South Dakota Team

Recommend a governance structure to the Governor on the best governance structure and infrastructure for an exchange in South Dakota.

- Completion Date June 30, 2011
- o Responsible Individual
 - South Dakota Team

Governor reviews the proposed governance model and chooses which components should be implemented.

- Completion Date July 15, 2011
- o Responsible Individual
 - Governor

Develop implementation plan.

o Completion Date – September 30, 2011

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- o Responsible Individual
 - South Dakota Team

Finance

Submit quarterly and final reports.

- Completion Dates
 - February 14, 2011
 - April 15, 2011
 - July 15, 2011
 - October 15, 2011
 - December 31, 2011(financial status)
- Responsible Individual
 - GOV/Project Manager

Prepare public reports.

- Completion Date throughout the project period
- o Responsible Individual
 - GOV/Project Manager

Develop financial transparency of exchange budget.

- o Completion Date throughout the project period
- Responsible Individual
 - GOV/Project Manager
 - BFM Commissioner and team

Conduct financial modeling on an exchange.

- Completion Date June 30, 2011
- o Responsible Individual
 - *GOV/Project Manager*
 - BFM Commissioner and team

Evaluate the provisions of Section 1313 of the Patient Protection and Affordable Care Act and regulations to determine the accounting methods and auditing standards necessary to meet the financial integrity requirements of the act as well as to meet the Generally Accepted Accounting Principles (GAAP) for accounting and Generally Accepted Auditing Standards (GAAS) for auditing as required in South Dakota.

- Completion Date June 30, 2011
- Responsible Individual
 - *GOV/ Project Manager*
 - BFM Commissioner and team

Define the accounting functions needed in an exchange and determine if there is an off the shelf package available or if software needs to be developed.

- Completion Date June 30, 2011
- o Responsible Individual
 - GOV/ Project Manager
 - BIT/ IT Project Manager and Financial Systems

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■ BFM Commissioner and team

Submit final project report.

- o Completion Date December 31, 2011
- o Responsible Individual
 - GOV/Project Manager

Final project report will detail at a minimum the following:

- A summary of the results of the state specific survey of individuals and businesses.
- A recommendation for governance and infrastructure. The state reserves the right to determine to not run a state-based exchange.

Should the state determine through the planning grant process that they will run an exchange, the Final Project Report will include the following:

- A draft implementation plan which includes the goals, objectives, responsible parties, costs, timeframes and milestones and also includes
 - The recommendations of the subcommittee of the Health Care Commission in the areas of outreach and public education, employer participation, navigator, the role of the insurance agent, legislation and the provider network adequacy.
 - A summary of the assessment of the current programs and the intersection points.
 - A summary of the accounting standards and auditing standards required to assure financial integrity of an exchange.
- o A needs assessment that includes the staffing, funding, and information technology needed to run the exchanges
- A list of resources and capabilities of an organizational chart that includes key personnel, and biographical sketches of personnel
- An evaluation plan to include a detailed description of data collection activities and analyses from which the state will base its design for covering the uninsured.

Technical Infrastructure

Catalog the current information systems available to the exchange and assess their current capacity.

- o Completion Date December 31, 2010
- Responsible Individuals
 - DSS/Technical Specialist
 - DOI/Policy Analyst
 - BIT/IT Project Management and Team
 - BFM Commissioner and team

Recruit and train technical planning grant staff.

- Completion Date June 30, 2011
- Responsible Individuals
 - Project Manage with Department Leads

Determine BIT and DSS technical staff needed.

- Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with Department Leads

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Outline a roadmap for systems that need to be developed for the exchange, including the web portal.

- o Completion Date June 30, 2011
- Responsible Individual
 - Project Manager with South Dakota Team

Define the security and privacy requirements needed for an exchange and develop a plan to meet those requirements.

- Completion Date June 30, 2011
- Responsible Individual
 - BIT/IT Project Manager
 - DSS Project Manager
 - DOI/Policy Analyst
 - DOI/Assistant Director of Policy Analysis and Legislation

Business Operations

Evaluate the transparency requirements of PPACA as well as South Dakota specific requirements and include recommendations in the implementation plan.

- o Completion Date June 30, 2011
- o Responsible Individual
 - GOV/Project Manager

Catalog the reports required by federal statute and regulation and create a plan to ensure the exchange's ability to report the necessary information to the Department of Health and Human Services.

- Completion Date June 30, 2011
- o Responsible Individual
 - South Dakota Team

Update catalog of statutory and regulatory exchange requirements and adjust work plan as necessary.

- o Completion Date June 30, 2011
- o Responsible Individuals
 - GOV/Project Manager

Develop workflow charts and draft processes for each exchange process.

- o Completion Date June 30, 2011
- o Responsible Individual
 - *GOV/Project Manager*
 - BIT/IT Project Manager
 - DSS/Project Manager and Integration Specialist
 - DOI/Assistant Director of Compliance and Policy Analyst
 - *BFM Commissioner and Team*

Assess whether plan bidding should be incorporated into the exchange process.

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- Completion Date June 30, 2011
- Responsible Individuals
 - *GOV//Project Manager*
 - DSS/Integration Specialist
 - DOI/Assistant Director of Compliance
 - BIT/IT Project Manager and Team
 - BFM Commissioner and Team

Investigate premium credit and cost sharing assistance models.

- Completion Date June 30, 2011
- Responsible Individuals
 - GOV/ Project Manager
 - DSS/ Integration Specialist
 - DOI Assistant Director of Compliance
 - BIT/IT Project Manager and Team
 - BFM Commissioner and Team

Define employer eligibility criteria for small businesses.

- Completion Date June 30, 2011
- Responsible Individuals
 - GOV/Project Manager
 - DSS/Integration Specialist
 - DOI/Assistant Director of Compliance
 - BIT/IT Project Manager and Team
 - *BFM Commissioner and Team*

Develop a quality rating system.

- o Completion Date January 1, 2012
- Responsible Individuals
 - GOV/Project Manager
 - DSS/Integration Specialist
 - DOI/Assistant Director of Compliance
 - BIT/IT Project Manager and Team
 - BFM Commissioner and Team

Determine methods for risk adjustment for inside and outside markets.

- o Completion Date January 1, 2012
- Responsible Individuals
 - GOV/ Project Manager
 - DSS/Integration Specialist
 - DOI/Assistant Director of Compliance
 - BIT/ IT Project Manager and Team
 - BFM Commissioner and Team

Periodically review of plan qualifications.

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- Completion Date Ongoing at least annually following January 1, 2013 or establishment of exchange
- o Responsible Individuals
 - GOV/Project Manager
 - DSS/ Integration Specialist
 - DOI/Assistant Director of Compliance
 - BIT/ IT Project Manager and Team
 - BFM Commissioner and Team

Regulatory or Policy Actions

Conduct an assessment of the requirements of a qualified health plan and the ability for the Division of Insurance to certify qualified health plans, assuming federal standards have been established.

- o Completion Date June 30, 2011
- o Responsible Individual
 - DOI/Assistant Director of Policy Analysis and Legislation

Determine the legislation, administrative rules and policies that must enacted in order to implement an, considering the proper timing of each. The completion date of this project will push legislative action into South Dakota's 2012 session which runs from January through March with an effective date of July 1, 2012.

- Completion Date June 30, 2011
- o Responsible Individual
 - Project Manager with South Dakota Team

Develop a standardized application.

- o Completion Date June 30, 2011
- o Responsible Individual
 - DOI/Assistant Director of Compliance
 - DSS/ Project Manager

Collaborations/Partnerships

Report on who you are working with outside of your office or department, and any changes or issues in your institutional context and/or any progress or issues with your project partners (where applicable).

The internal work group is collaborating with the health insurance industries, related associations, legislative leaders, and key consumer stakeholders. For example – we have sought representation from AARP, Tribes, Indian Health Service, independent insurance agents, insurance companies, and healthcare providers.

Names, roles, accomplishments, and barriers/challenges of related to these partnerships will be determined after the task force begins conducting regular meetings.

- Name of Partner:
- Organizational Type of Partner:

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- Health Department
- Federally Qualified Health Center
- o Health Maintenance Organization
- Hospital
- o Private Insurance
- o Employer
- o Employer Group
- Other (Please specify)
- Role of Partner in Establishing Insurance Exchange: To be determined after the task force begins conducting regular meetings.
- Accomplishments of Partnership: To be determined after the task force begins conducting regular meetings.
- Barriers/Challenges of Partnership: To be determined after the task force begins conducting regular meetings.

PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1101. The time required to complete this information collection is estimated to average (433 hours) per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.